

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 2:07CR127

BRANDON TROY BARRON

ORDER

This cause is before the Court on the defendant's Motion for Continuance [21]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for April 28, 2008. On April 11, 2008, Barron's counsel filed the instant motion seeking a continuance in order to facilitate a competency hearing in light of the findings contained in the psychiatric report submitted to the Court on or about February 25, 2008. The purpose of the hearing is to ensure defendant's competency for purposes of entering into a plea agreement. The government does not oppose the requested continuance. Based on the foregoing, the Court finds that the motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(1)(A), the period of delay from April 28, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(1)(A) because, given the circumstances described above, a continuance is necessary to facilitate the scheduling of a competency hearing pursuant to 18 U.S.C. § 4241.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [21] is GRANTED;
2. That the trial of this matter is continued until Monday, June 30, 2008 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from April 28, 2008 until June 30, 2008 is excluded as set out above;
4. That the deadline for filing pretrial motions is June 9, 2008;
5. That the deadline for submitting a plea agreement is June 16, 2008.

SO ORDERED, this the 15th day of April, 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE